

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

DAVID LORENZA JOYNER, #1230707	§	
	§	
VS.	§	CIVIL ACTION NO. G-06-728
	§	
THOMAS A. DAVIS, JR., ET AL.	§	


**OPINION AND ORDER**

Before the Court is a Report and Recommendation of the United States Magistrate Judge dated April 9, 2007, which recommends that Plaintiff David Lorenza “Joyner’s Certificate of Appealability” and “Joyner’s Motion to Alter the Judgment and File the Amended Petition against Judge Kent and Froeschner in their Administrative Capacities: Executive Capacities” be denied. Joyner was given until April 25, 2007, to file objections to the Report and Recommendation, however, to date, no objections have been filed.

Upon appropriate review, pursuant to 28 U.S.C. § 636(b)(1)(C), this Court finds that the Report and Recommendation is correct and it is, therefore, **ACCEPTED** by this Court in its entirety.

Accordingly, it is **ORDERED** that “Joyner’s Certificate of Appealability” and “Joyner’s Motion to Alter the Judgment and File the Amended Petition against Judge Kent and Froeschner in their Administrative Capacities: Executive Capacities” (Instrument no. 17) are **DENIED**.

**DONE** at Galveston, Texas, this 10<sup>th</sup> day of May, 2007.

  
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Samuel B. Kent  
United States District Judge